



Henri Duong
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FFW

March 01, 2009

Subject: Request for withdrawing the holding of abandonment for no fee on application no. 10/669,668 filing date 09/23/2003 Art Unit no. 3628

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Kenya A. McLaughlin,

In reply to your letter of February 26, 2009, the application became abandoned on November 17, 2007 being 6 month period after a Final action of 05/21/07, I wish to draw your attention to Claim status as cited below:

1. 05/21/07 Final rejection
2. 06/07/07 Amendment after Final
3. 07/11/07 Advisory Action before Filing "Appeal Brief"
4. 07/17/07 Notice of Appeal, paid \$250
5. 09/12/07 Appeal Brief, paid \$250
6. 10/16/07 Notice of Non-Compliant Appeal Brief
7. 10/23/07 My reply to Office Action of 10/16/07 which Mr. Examiner advised me by phone to file a claim instead of using the filed "Appeal Brief" so the amended claims and "Remark" letter were sent on 10/23/07 as enclosed and in USPTO file
8. 01/25/08 Communication to support my previous reply of 10/23/07
9. 01/08/08 Advisory Action before Filing "Appeal Brief"
10. - Appeal Brief was made on 09/12/07
11. 01/31/08 Interview Summary
12. 02/19/08 My reply with signed document as required
13. 04/15/08 Advisory Action before Filing "Appeal Brief"
14. 05/01/08 Amended Appeal Brief was sent

The exact using period of Applicant on his account after Final action is as below:

<u>Office Action received</u>	<u>Applicant's reply</u>	<u>122 days = 4 months & 2 days</u>
05/21/07	06/07/07	= 18 days
07/11/07	07/17/07 and 09/12/07	= 61 days
10/16/07	10/23/07	= 8 days
01/31/08	02/19/08	= 20 days
04/15/08	05/01/08	= 15 days

122 days

4 months with 2 days are used by Applicant within six months limit after Final, Applicant is not responsible for the time period used by the Examiner nor for the running time which going beyond his control, since there is no mistake on the side of Applicant based on the above-cited elements, Mr. Director of US Patent Office is requested to withdraw the holding of abandonment of the application for no fee to regulate the application.

Truly yours,

Henri Duong

AT/ IAW

Henri Duong
316 1/2 E Glendon way
Alhambra, CA-91801



" Remarks "

October 23, 2007

Subject: Application no. 10/669,668 filing date 09/23/2003 Art Unit: 3628

Attn: Mr. John W. Hayes
U.S. Patent & Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Mr. Hayes,

As I have prepared Appeal Brief documents as required by your previous office action of 10/16/07 which is regarded as "improper" through the phone communication with you yesterday.

I refer to your above cited confirmation that I was advised to make further amendment on my previous claims 4-6 being rejected. The enclosed claims which hold the same claims no. 4-6 are kept as holding and currently amended with new wordings to overcome the rejected points of the invention subject matter.

Thank you for your appreciation.

Respectfully,

A handwritten signature in black ink, appearing to read "Henri Duong".

Henri Duong